

**Practitioner's Docket No. MWH-0303US2****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Drysdale, Connie M.; Judson, Richard S.; Liggett, Stephen B.;  
Nandabalan, Krishnan; and Stephens, J. Claiborne.

Application No.: 09/811,285  
Filed: March 16, 2001

Group No.: 1646  
Examiner: Joseph F. Murphy

For: ASSOCIATION OF BETA2-ADRENERGIC RECEPTOR HAPLOTYPES WITH DRUG  
RESPONSE

Assistant Commissioner for Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT TO CLAIMS**  
**(37 CFR §1.115 and MPEP 714.01(e))**

This preliminary amendment is submitted in response to the telephonic restriction made on June 6, 2002. This paper is filed pursuant to MPEP 714.01(e) and is in compliance with 37 CFR, §1.115. The differences between the claims as filed and amended are shown below with underlines indicating added material and brackets indicating deleted material.

**IN THE SEQUENCE LISTING**

Please add SEQ ID NOS:19-30 to the sequence listing.

**IN THE CLAIMS**

~~Please cancel claims 2, 6, 13-20 and 25-28 without prejudice or disclaimer.~~

Please amend claim 1 as follows:

1. (amended) An isolated polynucleotide comprising a nucleotide sequence selected from the group consisting of:
  - (a) a first nucleotide sequence which is a polymorphic variant of a reference sequence for the  $\beta_2$ -adrenergic receptor ( $\beta_2$ AR) gene, wherein the polymorphic variant is a  $\beta_2$ AR isogene [or a fragment thereof, wherein the reference sequence comprises SEQ ID NO:1 and the polymorphic variant comprises at least one polymorphism selected from the group consisting of adenine at PS2 and thymine at

5/B  
M. J. J.  
6/20/02